

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Barreca

Serial No.: Not yet assigned

Filed: Herewith

Atty. File No.: 3676-18-CON-3

For: "FUNCTIONAL GUMS, LOZENGES
AND LOLLIPOPS"

Assistant Commissioner for Patents
Washington, D.C. 20231

) Group Art Unit: 1615

) Examiner: Susan Tran

) INFORMATION DISCLOSURE
) STATEMENT

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TYPED OR PRINTED NAME: Brenda Carpenter

SIGNATURE: Brenda Carpenter

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby submits the enclosed PTO Form 1449. The documents identified herein were of record in U.S. Patent Application Serial No. 10/316,700, and since the above-identified patent application is a continuation thereof, copies of the identified documents are not being submitted under 37 CFR § 1.98(d). Applicant does not admit that any of such documents, alone or in any combination, are considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

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Date: 8/21/03

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| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY. DOCKET NO. 3676-18-CON-3 | SERIAL NO. Not yet assigned |
| | APPLICANT Barreca | |
| | FILING DATE Herewith | GROUP ART 1615 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROP. |
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| | AA | 4,156,740 | 5/29/79 | Glass et al. | 426 | 3 | |
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| EXAMINER | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| | AJJJ | The Sydney Morning Herald, "Smarter up your act," 9/11/99, 4 pages |
| | AKKK | Web page for Xylident Guarana, 2 pages |
| | ALLL | The Food Channel newsletter, 8/30/96, Vol. 8, No. 16 |
| | AMMM | Printout of Kuat guarana products, 1 page |
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| | AOOO | Morton JF. "Widspread tannin intake via stimulants and masticatories, especialy guarana, kola nut, betel vine, and accessories"; Basic Life Sci 1992; 59:739-65 |
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